IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE TWENTY THIRD DAY OF SEPTEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MS JUSTICE G.ROHINI

WRIT PETITION NO : 14834 of 2004

Between:

Y. Kishan Reddy, S/o. Venkateswara Reddy,
Z.P.T.C. Member, Chandampet Village & Mandal,
Nalgonda District.

..... PETITIONER

AND

1 The Principal Secretary, Home Department,
Government of Andhra Pradesh, Secretariat Buildings, Hyderabad.
2 The Director General and Inspector General of Police, Andhra Pradesh, Hyderabad.
3 The Inspector General of Police(Intelligence) Andhra Pradesh, Hyderabad.
4 The Deputy Inspector General of Police, Hyderabad Range, Hyderabad.
5 The Superintendent of Police, Nalgonda, Nalgonda District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an appropriate writ, order or direction particularly one in the nature of Writ of Mandamus, declaring the action the respondents in Withdrawing the Security of Gunmen to the petitioner without giving any notice or opportunity and basing on political considerations is arbitrary, unreasonable and consequently direct the respondents not to discontinue the Security of Gunmen to the petitioner in view of continuous threat from the Peoples War Group (Naxalities).

Counsel for the Petitioner : MR.G.TUHIN KUMAR

Counsel for the Respondents : GP FOR HOME

The Court made the following :

THE HON'BLE MS JUSTICE G.ROHINI

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WRIT PETITION NO. 14834 of 2004

ORAL ORDER :

This writ petition is filed seeking a Writ of Mandamus declaring the alleged action of the respondents in withdrawing the security of gunmen provided to the petitioner without giving any notice or opportunity as arbitrary and illegal.

This Court while directing notice, by order dated 20-08-2004 granted interim direction not to withdraw the security of gunmen provided to the petitioner.

Now, the 5th respondent - Superintendent of Police, Nalgonda filed a counter-affidavit denying the allegation made by the petitioner that the security has been withdrawn and stating that no instructions whatsoever were communicated by the Government regarding any withdrawal of security of gunmen and that it is also false to say that the respondents are taking steps to withdraw the gunmen security to the petitioner. It is further stated that there is no proposal of withdrawing the security of gunmen and the writ petition is filed only on mere apprehension of the petitioner.

In the light of the averments in the counter-affidavit, no further adjudication is necessary and accordingly Writ Petition is disposed of recording the statement of the respondents that the security is not withdrawn and that there is no proposal for withdrawing the security of gunmen provided to the petitioner. No costs.

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23rd September, 2004.

gbs

To

1 The Principal Secretary, Home Department,
Government of Andhra Pradesh, Secretariat Buildings, Hyderabad.
2 The Director General and Inspector General of Police, Andhra Pradesh, Hyderabad.
3 The Inspector General of Police(Intelligence) Andhra Pradesh, Hyderabad.
4 The Deputy Inspector General of Police, Hyderabad Range, Hyderabad.
5 The Superintendent of Police, Nalgonda, Nalgonda District.

6.2CCs to G.P. for Home, High Court of AP Bldgs, Hyderabad (OUT).

7.2CD copies